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ABSTRACT

Lack of responsibility on the part of the victim was studied as a necessary component in determining whether a situation is defined as rape. Fifteen situations were presented to 200 students in upper level psychology courses at Southwest Missouri State University who were asked to determine if the situation constituted rape. If so, Ss were asked, on a seven-point scale, how responsible the victim was. A Pearson "r" was performed correlating number of situations defined as rape and number of situations where the victim had no responsibility. Significance was found for the entire sample. This would support the hypothesis that the individual who defines a situation as rape is more likely to see the victim as not responsible. The scores from the BSRI were correlated with the degree of responsibility when responsibility was determined (r/r). As sex role orientation of males became more feminine, r/r decreased. (Author)

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Lack of Victim Responsibility as a Factor in Defining Rape[1]

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[1]This paper was presented at the Eastern Psychological Association Convention, April, 1977.

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Lack of Victim Responsibility as a Factor in Defining Rape

According to statutes on all levels, certain criteria are needed before an otherwise ambiguous act can be defined as a crime. In robbery, it is not only the material being taken but also the lack of consent. A verdict of murder may be changed to manslaughter by introducing the factor of lack of intent on part of assailant.

Rape is also a crime in which objective criteria, specifically intercourse, is not enough to convict a suspect. Lack of consent on the part of the victim is essential for conviction. Consent, many times, is difficult to assertain due to the extreme position in the laws of many states. An example of this comes under the heading of "assault with intent to commit rape" and is illustrated by the case United States vs Bryant 137 U.S. App. D.C. 124 (1969). Under the reasoning of this case, the victim must continually fight off the assault. If the victim does not continue fighting, because of fear of bodily harm, it "would be questionable under Bryant whether such conduct would constitute an assault with intent to commit rape..." (Meyers, 1973, p. 41).

Implied in consent, even if indirectly, is the concept of responsibility of the victim. If she gives her consent to the intercourse the victim could be viewed as partially responsible. Also if responsibility is assumed, consent, albeit unconscious, is implied. It is not unusual, therefore, that

the victim is suspected as having some type of responsibility in the incident. Metzger (1976) has illustrated this idea by commenting on the attitudes towards power when a man commits a crime against a woman. These beliefs include the concepts that: (1) to be weak is a crime deserving punishment, (2) the weak are accomplices in the crimes against, and (3) the victim has committed the crime.

Responsibility of the victim then becomes an issue in determining if the act can truly be defined as rape. This is especially true in the instance of "victim precipitated forcible rape." Amir (1971) speaks of victim precipitation when in those rape situations she overtly agreed, or "it was deemed so agreed" by the male to have sexual relations but she retracted before the actual act. Also she could not have "reacted strongly enough when suggestions were made" for sex. This term can also refer to situations where the victim's actions can be interpreted as "invitations to sex." (p. 266)

In many cases of rape, the victim's past will be used in court to show that her reputation in sexual relations would indicate a desire on her part to engage in sexual intercourse in more instances and perhaps less acceptable ones (i.e. prostitution) than a "normal" or "good" woman. This is exemplified by Brownmiller (1975) when she points out that the victim's sexual activity may be introduced but if the accused assailant does not take the stand "his relevant sexual history including prior charges and convictions for rape may not be introduced (p. 372)." With her past sexual history given, most defense attorneys hope to show consent is indeed very possible. As reported by Hass (1976) victim enticement is more plausible in cases of rape since people can conceivably enjoy sex while it is difficult to imagine

them provoking robbery or murder.

Much of the current research in the area of responsibility of rape victims deals with the "just world hypothesis" originally proposed by Melvin Lerner and applied to rape situations by Jones and Aronson (1973). It states that if something pleasant or unpleasant happens to a victim she is seen as deserving it for one of two reasons. It may be based on character. She is an intrinsically good or bad person and her character merits the good or bad outcome. The other reason is based on behavior. Because she has behaved in a certain manner, that particular outcome results.

From this a conclusion could be made that if disaster befalls an individual, more fault is attributed to that victim if she is respectable than if less respectable. The more respectable the more likely she is to cause her own misfortunes because she did not deserve it based on her extrinsic characteristics.

More common, however, than showing the "debauchery" of the victim is to rely on the myth "men cannot help themselves; they are just that way." Prevalent in our society is the idea that women should control the extent to which sexual activity is allowed to proceed. It is because of these ideas, many women feel they are not justified in filing rape charges. They feel somehow they were responsible, that it was not his fault, and it was not even rape. However, unlike in the "just world" where the responsibility lies primarily with the victim, either because of character or behavior, the responsibility may indeed lie outside her. Therefore, it is imperative to find another means of explaining the rape. It would be more feasible

once the responsibility were removed from the victim, to assume that her consent, even if indirectly implied, is absent. With this absence of consent, the essential element for definition of rape appears. If an individual would perceive the victim as having no responsibility for her fate, it is hypothesized the male assailant would be totally to blame and therefore the situation would be deemed rape. Therefore, the more like an individual is to see a situation as rape, the more likely they are to say the victim had no responsibility.

Method

To test this hypothesis, 15 situations were constructed which constituted a woman being forced, either by physical means, threats or coercion, into intercourse. According to the Burgess and Holmstrom (1974) classification of types of rapes, the distribution of cases were as follows: (1) victims of forcible completed or attempted rapes - 8; (2) accessories because of inability consent - 2; (3) sexually stressful situation where the encounter went beyond woman's expectations and ability to exercise control - 5. The S_s were asked whether or not, in their opinions, the female character was raped. If so, they were asked to rate on a scale of 0-6 (not-most) how responsible she was for her fate. A Pearson "r" was performed on the 2 variables-number of situations defined as rape and number of situations where no responsibility on the part of the victim was determined.

The Bem Sex Role Inventory (BSRI) was also given (Bem, 1974). This measures the degree of androgyny of the respondent rating himself on a scale of 1-7 (never to always) how often the 60 adjectives refer to him. A positive score would indicate a feminine orientation while a negative would in-

dicate a masculine. Absolute value will determine degree.

S_S consisted of 200 students from Southwest Missouri State University, Springfield, Missouri, who were enrolled in upper level psychology courses. There were 110 females and 90 males.

Results

Using the entire sample of 200, a significant positive correlation at the .01 level ($r = +.191$) resulted between the number of situations defined

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Insert Table 1 about here

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as rape and number of situations in which the victim was seen as having no responsibility for her fate (given a rating of "0" on the scale of 0-6). For female S_S the same correlation was found at the .05 level ($r = +.220$). No significant correlation was found for male S_S.

However, in correlating the BSRI scores with the variables of responsibility, male S_S indicated that as their androgyny score increased (became more feminine) the rate of responsibility when responsibility was determined (r/r) decreased ($r = -.354$, $p < .01$). This r/r was calculated by using only those situations that were deemed rape and given scores of 1-6 and dividing that total by number of situations defined as rape. Those situations that were given a rating of "0" (no responsibility), therefore, were not used in the calculation of r/r.

Discussion

Data indicate that those persons who are likely to see a situation as rape are more likely to see the victim as not being responsible. Women as

a group are more likely to perceive this correlation than men.

This may be due to the idea that men tend not to believe a woman has been raped as reported by Bley and Seeman (1975). Their study showed that males just do not believe males rape women and are more likely to blame the victim or other circumstances when rape occurs. Thus they would feel the woman is responsible for the rape.

Because of the design of the study it could be theorized that the S_s placed themselves in the respective roles in the story: females in the victim's and males in the male's role. If this were the case, it would be feasible for the female S_s to identify with the victim and place the blame on someone else. The same would be true for the male S: placing the blame on the victim. It has also been suggested (Politics of Rape) that since rape is an exaggeration of sex role expectations, males who have never committed rape tend to identify with the rapist. This was support by Kahn et. al. (in press) where it was found that female S_s identified with the victim and males identified with the defendent in a rape case.

Since the males with a more feminine sex role orientation see the victim's degree of responsibility less even when responsible, this further supports the "exaggeration of sex role hypothesis." The males would not be living up to sex role orientation and probably, therefore, identifying less with the rapist. Because of this they see the victim less responsible.

Further analysis of each of the 15 situations is necessary to create a personality profile of the type of individual who would perceive a particular situation as rape. With the data obtained from the present study, it may be possible to interpret such variables as "location of rape and means

by which the victim reached that location" being an indication of consent as suggested by Blumberg and Bohmer (1975).

The results indicate that not only the gender of the individual influences the judgement concerning the status of a situation defined as rape, but also the degree to which that individual adheres to his or her prescribed sex role in determining degree of responsibility.

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Footnotes

[2]The author wishes to acknowledge the assistance of Carolyn Joy Barclay in preparation and analysis of data for this study.

TABLE 1

Pearson r for situations defined as rape and situations in which victim lacked responsibility

		"r"
Total	(200)	.191*
Female	(110)	.220**
Male	(90)	.160

p < *.01

p < **.05